



570 Broad Street / Suite 1201 / Newark, NJ 07102  
P: 973.623.3000 / F: 973.623.0858 / litedepalma.com

Newark ■ Philadelphia

Order

September 19, 2019

Hon. Freda L. Wolfson, Chief Judge  
U.S. District Court, District of New Jersey  
Clarkson S. Fisher Federal Building &  
U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

**Re: *Creighton Takata v. Riot Blockchain, Inc., et al.***  
**Civil Action No.: 18-2293 (FLW) (TJB)**

Dear Judge Wolfson:

I write on behalf of Court-appointed Lead Plaintiff Dr. Stanley Golovac to make two requests concerning the format and timing of Plaintiff's forthcoming response(s) in opposition to the four pending motions to dismiss filed by the Riot Blockchain Defendants (ECF Nos. 107); the Director Defendants (ECF No. 108); Defendant Catherine DeFrancesco (ECF No. 112); and Defendant Barry Honig (ECF No. 118); as well as Defendants' pending Motion to Strike certain allegations in Plaintiff's complaint (ECF No. 111).

First, Plaintiff requests permission to respond to Defendants' four motions to dismiss (ECF Nos. 107, 108, 112, 118) with one omnibus opposition brief of no more than 60 pages. Together, the memoranda in support of Defendants' four motions total 95 pages. (ECF Nos. 107-1, 108-1, 112-1, 118-1.) Given the interconnected factual issues set forth in Plaintiff's operative complaint (ECF No. 73), on which each motion focuses, Plaintiff believes that a single 60-page omnibus brief will be most efficient for the Court and for all parties involved, rather than the filing of four separate briefs of up to 40 pages each. See L.R. 7.2(b). The parties have conferred in good faith, but Defendants do not consent to this request. Plaintiff's response to Defendants' four motions to dismiss is due on October 1, 2019.

Second, Plaintiff also requests an extension until October 1, 2019, to file Plaintiff's response in opposition to Defendants Motion to Strike (ECF No. 111), which is currently due on September 23, 2019. This would allow Plaintiff to respond to all five pending motions on the same day (October 1, 2019). Plaintiff proposed that Defendants would file their reply to this motion on October 22, 2019, the same day that their other replies are currently due. Defendants consent to this request.

**LITE DEPALMA**  
**GREENBERG**

Hon. Freda L. Wolfson, Chief Judge

September 19, 2019

Page 2

We appreciate the Court's consideration to these requests.

Respectfully,

/s/ Joseph J. DePalma

Joseph J. DePalma

JJD:cd

cc: All Counsel (via ECF)

Granted - Plaintiff is to file one omnibus brief in opposition to ECF 107, 108, 112, 118, of no more than 60 pages by 10/4/19. Plaintiff's opposition to ECF 111 is to be filed 10/1/19 as well.

**IT IS SO ORDERED:**



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FREDA L. WOLFSON  
U.S. CHIEF DISTRICT JUDGE

9/20/19